



LIVINGSTON COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY

LIVINGSTON COUNTY GOVERNMENT CENTER  
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GENESEO, NEW YORK 14454-1043

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Approved by \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "P. Brooks", written over a horizontal line.

MINUTES  
LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
ANNUAL MARCH MEETING

Friday, March 2, 2012

Livingston County Government Center, Room 205, Geneseo, NY

**Members Attending:** P. Brooks, W. Bacon, S. Doerflinger, E. Gott, P. Yendell, R. Smith

**Staff Attending:** P. Rountree, J. Marshall, J. Coniglio, L. Wadsworth, T. Donegan, M. LaPoma

**Other:** L. Olson, H. Bresler - The Bonadio Group, I. Coyle, C. Oswald, L. Burns

Mr. Brooks called the IDA Meeting to order at 10:00 a.m. and welcomed Ms. Bresler & Ms. Olson.

**Presentation & Approval of 2011 Annual Financial Audit Report - Lindsay Olson, Bonadio**  
Ms. Olson reviewed the audit for the Members. She reported that it is a requirement that a communications letter be prepared. She stated this is a clean audit.

Mr. Gott entered at 10:01 a.m.

Bonadio will request a Management Presentation letter after the audit approval. Ms. Olson stated that Bonadio is providing an unqualified opinion in its audit. The IDA closed six transactions during 2011 resulting in the best year ever for administrative fee income. The Agency's 2010 end of year \$200,000 grant to the Livingston County Development Corporation was duly noted.

Other highlights were:

- 2012 is the last year for the rental agreements for farming of our three industrial parks.
- A deposit on the land sale to D.P. Tool.
- The audit utilizes standard language for insurance coverage.
- The Agency's cash accounts are completely collateralized under the FDIC through 12/31/12.
- There were no grants or regrants.

Mr. Rountree commented on the Industrial Development Bonds. Ms. Olson confirmed the outstanding bond indebtedness amount on bonds issued to Noyes Hospital and its Geneseo Medical Center. The Annual Report for submission through PARIS is not available at this time due to delinquent company reporting.. Mr. Rountree stated we usually hold the meeting at the end of the month which allows us more time to get reported information from companies. We will present the final report at a short IDA meeting scheduled for March 30<sup>th</sup>. That report has the information on the tax abatements and number of jobs created.

Mr. Bacon asked about internal controls. Ms. Olson reported no deficiencies in internal controls. Mr. Rountree thanked Agency Treasurer Ms. Doerflinger for her assistance and providing her time with help on separation. She is very thorough.

Mr. Rountree thanked Bonadio for their work.

### **ANNUAL MEETING**

#### **-Election of Officers**

A list of current officers of the Agency was reviewed.

**Chairman:** Mr. Brooks

**Vice Chairman:** Mr. Bacon

**Secretary:** Mr. Boscoe

**Assistant Secretary:** Mr. Gott

**Treasurer:** Ms. Doerflinger

**Assistant Treasurer:** Mr. Smith

*Mr. Bacon nominated Mr. Brooks as Chairman, seconded by Mr. Yendell. Carried. Mr. Gott moved, seconded by Mr. Yendell, authorization to close the nominations and to appoint members to the appointments as nominated. Carried.*

#### **-Bylaw Amendments Discussion**

We are not proposing any. Mr. Coniglio asked about the finance committee being listed in the bylaws. We will see if we adopted them at a previous meeting.

#### **-Establish Regular Meetings Dates for 2012/2013**

These are scheduled for the first Friday of the month at 10:00 a.m. unless there's a holiday. *Mr. Bacon moved, seconded by Mr. Gott, the approval of the meeting dates for 2012/2013. Carried.*

**The following Appointments were reviewed:**

#### **-Official Funds Depositories**

Five Star Bank

Bank of Castile

HSBC Bank

#### **-Administrative Director**

Patrick Rountree

#### **-Deputy Administrative Director**

Julie Marshall

#### **-Auditor**

The Bonadio Group. We will be doing a Request for Proposals (RFP) for the 2012 audit.

**-Counsel**

Underberg & Kessler, LLP

**-Transaction Counsels**

Nixon Peabody, LLP

Harris Beach, LLP

**-Official Newspapers**

Genesee Country Express

Livingston County News

**-Governance Committee Appointments**

Steve Boscoe

Philip Brooks

Susan Doerflinger

Eric Gott

**-Audit Committee Appointments**

William Bacon

Robert Smith

Peter Yendell

Thomas Schoder (non-Agency independent member)

**-Finance Committee Appointments**

William Bacon

Robert Smith

Peter Yendell

Thomas Schoder (non-Agency independent member)

Terrence Donegan (non-Agency independent member)

**-Public Information Officer**

Patrick Rountree

**-Contracting Officer**

Patrick Rountree

**-Chief Financial Officer**

Terrence Donegan

*Mr. Smith moved, seconded by Mr. Yendell, the approval of the appointments as presented. Carried.*

There was discussion on utilizing the same auditing firm we currently use. It was determined that we can use the same auditing firm as long as the contact changes.

Mr. Coyle entered at 10:25 a.m.

*Mr. Yendell moved, seconded by Mr. Smith, that the meeting be recessed. Carried at 10:31 a.m. The meeting resumed at 12:00 p.m.*

**-Other Appointments and Designations as Proposed by the Agency or its Counsel**

There are none.

**Report & Recommendations of Agency Standing Committees**

**-Audit/Finance Committee Report**

*The Audit & Finance Committee recommends acceptance of the financial statements as presented.*

### **-Governance Committee Report**

Policies were reviewed and there were no changes. *Ms. Doerflinger moved, seconded by Mr. Brooks, the acceptance of the Governance Committee Report. Carried.*

### **ACTION ON COMMITTEE REPORTS**

**-Acceptance & Approval of 2011 Financial Statements, Management Letter & Report on Internal Controls**

**-Acceptance & Approval of 2011 LCIDA Annual Report**

**-Policy & Procedures Changes**

**-Acceptance of Self Assessment Reports**

**-Other**

*Mr. Smith moved, seconded by Mr. Yendell, the approval of the above reports. Carried.*

### **APPROVAL OF MINUTES**

*Mr. Yendell moved, seconded by Mr. Gott, the approval of the February 3, 2012 Regular Meeting Minutes. Carried.*

### **TREASURER'S REPORT**

**-Financial Reports For Period Ending February 29, 2012**

Mr. Rountree reviewed this for the Agency. We did close on the D.P. Tool & Machine project. There was a catering expense related to a site visit for a food hub attraction project to be reported later in the meeting *Mr. Gott moved, seconded by Mr. Smith, the approval of the Treasurer's Report for the period ending February 29, 2012. Carried.*

### **NEW BUSINESS**

**-Donation Request/Chamber Golf Tournament**

*Mr. Gott moved, seconded by Ms. Doerflinger, authorization to sponsor the 2012 Leadership Golf Tournament at a \$500 level. Carried. Mr. Bacon abstained.*

**-Donation Request/Farmer Neighbor Dinner**

This event is the last Friday of the month if anyone is interested in attending. *Mr. Gott moved, seconded by Mrs. Doerflinger, authorization to sponsor the 2012 Farmer/Neighbor Dinner at a \$200 level. Carried. Mr. Bacon abstained.*

**-Department of Ag & Markets Visit**

The State Department of Ag & Markets (A&M) along with ESD visited the Livingston Industrial Complex on February 17<sup>th</sup>. The project is the development of a fresh cut produce facility. Produce will be brought in, washed, cut and shipped Downstate for schools, hospitals, restaurants, etc... Ag & Markets held a meeting on the 16<sup>th</sup> with the producers from the 9 County Genesee Valley Regional Market Authority area and presented a consultant's renderings. Sites looked at were in Wayne, Orleans and Genesee Counties. An RFP will be issued by A&M for all IDA's to bid on. The visitors specifically wanted to see the Barilla site but were also shown maps of the Crossroads, Dansville and Livonia sites. Team members included the County Planning Department, Genesee Valley Conservancy and Cornell Cooperative Extension. A & M is putting together a steering committee. Les Cole wants to serve on that committee. There is no specific time frame. Late A & M met with Farm Credit and they will put together a business plan. Mr. Brooks asked if the project had any requirements. They didn't request anything. From a producer's aspect, Livingston County is centrally located. They had no interest in looking at an existing facility.

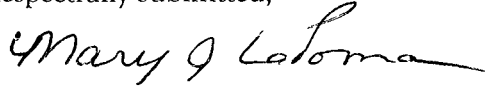
Project Wave is Pepsi and it is official that they are going to Batavia. Mr. Rountree and Ms. Marshall had a

conference call with ESD yesterday to ask what were Avon and Livingston County's shortcomings.. The two factors were the soil compaction and the pricing of the land. Kraft will be getting \$200,000 of the prison closure funding.

ADIJOURNMENT

*Mr. Gott moved, seconded by Mr. Bacon, that the meeting adjourn. Carried at 12:17 p.m.*

Respectfully submitted,

A handwritten signature in cursive script that reads "Mary J. LaPoma".

Mary J. LaPoma  
Administrative Assistant